



Kurt E. Floren

Agricultural Commissioner
Director of Weights and Measures

COUNTY OF LOS ANGELES

*Department of
Agricultural Commissioner/
Weights and Measures*

12300 Lower Azusa Road
Arcadia, California 91006-5872
<http://acwm.lacounty.gov>



Richard K. Iizuka
Chief Deputy

May 11, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#68 MAY 11, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

SET FOR HEARING ON JUNE 22, 2010 AT 9:30 A.M.

SECOND RESOLUTION DECLARING NOXIOUS OR DANGEROUS WEEDS, BRUSH, RUBBISH, ETC., IN LOS ANGELES COUNTY A SEASONAL AND RECURRING PUBLIC NUISANCE (ALL DISTRICTS) (3-VOTES)

SUBJECT

The Department of Agricultural Commissioner/Weights and Measures (ACWM) provides hazardous weed and rubbish abatement services throughout most of Los Angeles County (County) with a primary focus on unimproved vacant properties.

This resolution, as well as the associated Board Hearing, is part of the legal steps required for ACWM to conduct this important public safety function.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the attached resolution and establish the following dates, times, and locations for Hearing of Protests before the Weed Abatement Referee:

a. May 26, 2010, from 9:30 a.m. until noon in the conference room of ACWM, located at 12300 Lower Azusa Road, Arcadia; and

b. May 27, 2010, from 9:30 a.m. until noon in the Antelope Valley at 335-337 East Avenue K-10, Lancaster.

2. Set June 22, 2010, at 9:30 a.m. as the date and time for hearing on the Weed Abatement

Referee's Second Hearing Report to abate noxious or dangerous weeds, brush, rubbish, etc., on designated parcels of land.

3. After the Public Hearing, it is recommended that your Board approve the 2010 Weed Abatement Referee's Second Hearing Report.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Earlier this year, your Board passed a similar resolution. However, additional properties within or near High Fire Hazard Severity Zones have been identified with the potential for hazardous vegetation requiring clearance this season. Much of Los Angeles County received more rainfall than usual and a corresponding heavy weed growth is anticipated.

Attached is an additional (second) resolution declaring noxious or dangerous weeds, brush, rubbish, etc., in the County a seasonal and recurring public nuisance when found existing upon or in front of designated properties, most of which are unimproved (vacant). These properties have been found, by inspection, to have hazardous vegetation or rubbish which, if left unremoved, would pose a significant fire hazard to adjacent homes or other structures.

Implementation of Strategic Plan Goals

This action supports the following County Strategic Plan goals:

- Goal 1: Operational Effectiveness – Conducting nuisance abatement pursuant to the statutory authority of the California Health and Safety Code allows ACWM to respond to weed, brush and rubbish hazards more quickly and effectively than when using other nuisance abatement procedures.
- Goal 3: Community and Municipal Services – The timely removal of hazardous weeds, brush and rubbish improves quality of life and helps protect property values for residents throughout much of Los Angeles County including the many unincorporated communities.
- Goal 5: Public Safety – Timely removal of hazardous weeds and brush helps to protect the lives and property of many residents living in the areas covered by ACWM's Weed Abatement Program.

FISCAL IMPACT/FINANCING

There is no net County cost. ACWM will assess charges directly to any private property owner who does not comply with a notice to abate and, thereby, necessitates the use of our services.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Weed, brush and rubbish abatement will be conducted pursuant to Sections 13879 and 14875-14922 of the California Health and Safety Code (Code). The initial step of the process is a resolution of the Board declaring weeds, brush and rubbish on designated properties to be a public nuisance. Following the resolution, a notice to destroy weeds, remove brush, rubbish and refuse will be mailed to each property owner in the form prescribed by Section 14892 of the Code. An affidavit of mailing

will be returned to you when the mailing of notices, as required by Section 14896 of the Code, has been completed.

After the notices have been mailed, initial public hearings will be held in Arcadia and the Antelope Valley, at which time the owners of affected properties who have objections or questions will be heard and given due consideration. Owners whose objections or questions were not resolved at the initial hearings may appear before the Board for a final hearing on June 22, 2010.

The resolution has been reviewed by County Counsel and is approved as to form.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

ACWM will hire seasonal employees and contract with private contractors for equipment, equipment operators, and manual laborers to perform the required weed abatement services.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kurt E. Floren', with a long horizontal stroke extending to the right.

KURT E. FLOREN
Agricultural Commissioner, Director of Weights and
Measures

KEF:RKI:RBS:ap

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Fire Department

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES
DECLARING PUBLIC NUISANCE

WHEREAS, weeds or other vegetation growing upon property and/or upon the streets and sidewalks in front of such property often is not pruned or is otherwise neglected so as to attain such large growth as to become, when dry, a fire menace to adjacent improved property, or is otherwise noxious or dangerous; and

WHEREAS, the presence of neglected, noxious or dangerous vegetation including weeds, dry grass, stubble and brush, and litter, rubbish, refuse, or other flammable materials, upon streets, sidewalks, and property, are conditions which endanger the public safety and constitute a public nuisance and should therefore be abated; and

WHEREAS, such neglected, noxious or dangerous vegetation, or litter, rubbish, refuse, or other flammable materials are a seasonal and recurrent nuisance on such property located within the County of Los Angeles (the "County"); and

WHEREAS, the County of Los Angeles has a duty to protect the public safety and to take actions necessary to abate a public nuisance; and

WHEREAS, Division 12, Part 2.7 (Section 13879) and Part 5 (Sections 14875 through 14922, inclusive) of the California Health and Safety Code, authorizes the

Board of Supervisors, by resolution, to declare such neglected, noxious or dangerous vegetation, or litter, rubbish, refuse, or other flammable materials a public nuisance and to authorize the abatement thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS FOLLOWS:

SECTION 1. Board Finds. The Board of Supervisors of the County of Los Angeles hereby finds that the neglected, noxious or dangerous vegetation, or litter, refuse, or other flammable material in and upon and in front of the real property as described in Exhibit 1, constitute and are hereby declared to be a seasonal recurrent public nuisance which should be abated.

SECTION 2. Notice. (a) The County Agricultural Commissioner/Director of Weights and Measures (Commissioner) is hereby designated, authorized and directed to give notice to destroy and/or remove said neglected, noxious or dangerous vegetation, or litter, refuse, or other flammable material from the described properties.

(b) Not less than 10 days prior to the date of the hearing, the Commissioner shall cause notice to be given to each property owner by mail as their names and addresses appear from the last equalized assessment roll or as they are known to the clerk.

SECTION 3. Hearings. On Wednesday, the 26th of May, 2010, from 9:30 a.m. until noon in the conference room of the Agricultural Commissioner, located at 12300

Lower Azusa Rd., Arcadia, California and on Thursday, the 27th of May, 2010, from 9:30 a.m. until noon in the Antelope Valley at 335-337 East Avenue K-10, Lancaster, California, are fixed by this Board as the times and places when and where any and all property owners having any objections to the aforementioned proposed removal of neglected, noxious or dangerous vegetation, or litter, refuse, or other flammable materials may appear before the Weed Abatement Referee and show cause why said neglected, noxious or dangerous vegetation, or litter, refuse, or other flammable material should not be removed in accordance with this resolution, and said objections will then and there be heard and given due consideration.

SECTION 4. Recovery of Inspection Costs. (a) The Commissioner is hereby authorized and directed to recover its cost of inspection of the properties hereinabove described in a manner consistent with prior action of the Board adopting a fee schedule for such inspections. The recovery of these costs is vital to the ongoing operation governing the identification and abatement of those properties that constitute a public nuisance and endanger the public safety.

(b) The owners of the property, upon which, or in front of which the nuisance exists, shall be presented, both in writing and at the above-referenced hearing, with information regarding the cost of inspection.

The foregoing resolution was on
the 11TH day of MAY, 2010,
adopted by the Board of Supervisors of the County
of Los Angeles and ex officio the governing body
of all other special assessment and taxing districts,
agencies and authorities for which said Board so acts.

SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles



By

Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

ANDREA SHERIDAN ORDIN

By

Nayabher 3/29/2010

Deputy

EXHIBIT 1

DESCRIPTION OF PROPERTIES

In accordance with Division 12, Part 5, Chapter 2 of the California Health and Safety Code (commencing with Section 14880), the properties, upon which, or in front of which the nuisance exists, are hereby described in the Declaration List of properties.

2010
LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER/
WEIGHTS AND MEASURES DEPARTMENT
WEED ABATEMENT
DECLARATION LIST

DATE: 05/11/10

ZONE	CITY CODE	PARCEL NUMBER	KEY
07	030	2061-029-006	2
07	098	2069-058-021	2
07	804	2818-014-028	2
07	804	2818-018-026	2
07	804	2818-019-007	2
07	804	2818-019-029	2
07	804	2818-027-048	2
07	804	2818-031-018	2
07	804	2818-031-021	2
07	804	2821-002-903	2
07	804	2821-002-904	2
07	804	2821-002-905	2
07	804	2821-008-900	2
07	804	2821-008-906	2
07	804	2821-014-055	2
07	804	2821-019-908	2
07	804	2821-019-909	2
07	804	2821-023-006	2
09	611	2826-164-006	2
09	611	2826-164-008	2
09	611	2826-164-009	2
09	611	2826-164-020	2
09	611	2836-013-111	2
08	500	3014-007-039	2
08	500	3014-009-007	2
08	500	3014-026-012	2
08	500	3052-079-003	2
08	500	3052-079-004	2
08	355	3204-026-002	2
08	820	3206-004-058	2
08	820	3215-012-009	2
08	820	3225-020-016	2
08	820	3242-007-005	2
08	820	3242-011-001	2

2010
LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER/
WEIGHTS AND MEASURES DEPARTMENT
WEED ABATEMENT
DECLARATION LIST

DATE: 05/11/10

ZONE	CITY CODE	PARCEL NUMBER	KEY
08	820	3242-011-004	2
08	820	3242-011-005	2
08	820	3242-027-001	2
08	820	3242-027-301	2
08	820	3256-006-013	2
01	800	4434-021-041	2
01	800	4440-025-016	2
01	800	4440-025-019	2
01	800	4440-025-023	2
01	800	4441-013-011	2
01	800	4441-015-018	2
01	800	4442-018-032	2
01	800	4444-003-907	2
01	800	4444-007-021	2
07	804	4456-005-023	2
01	800	4457-009-044	2
01	800	4461-020-007	2
01	800	4461-020-008	2
01	800	4464-022-026	2
01	800	4465-006-045	2
01	800	4465-006-054	2
04	806	5224-026-023	2
04	806	5233-030-023	2
04	000	5241-001-007	2
04	000	5279-006-024	2
04	575	5289-005-051	2
06	000	5807-005-013	2
06	315	5812-009-008	2
06	315	5812-009-009	2
05	808	6060-009-909	2
05	000	6129-023-029	2
05	810	6149-008-026	2
05	810	6149-019-911	2
05	000	6180-004-025	2
05	000	6180-015-901	2

2010
LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER/
WEIGHTS AND MEASURES DEPARTMENT
WEED ABATEMENT
DECLARATION LIST

DATE: 05/11/10

ZONE	CITY CODE	PARCEL NUMBER	KEY
04	155	6226-014-900	2
04	070	6324-010-002	2
04	523	6381-030-900	2
04	523	6381-030-902	2
04	523	6381-030-903	2
04	523	6381-030-904	2
05	345	7059-015-902	2
05	345	7069-027-904	2
05	345	7069-027-907	2
05	345	7069-028-901	2
05	345	7069-028-912	2
05	345	7069-028-913	2
05	345	7069-030-900	2
05	345	7069-030-901	2
05	103	7319-021-018	2
05	103	7319-021-019	2
05	103	7319-038-012	2
03	530	8313-001-001	2
03	530	8326-009-021	2
03	530	8326-009-032	2
03	530	8326-026-903	2
03	530	8355-029-019	2
03	530	8355-030-018	2
03	530	8355-030-023	2
03	530	8358-035-944	2
03	000	8402-016-004	2
03	000	8402-016-005	2
06	060	8413-006-021	2
03	390	8426-001-001	2
03	260	8632-023-043	2
03	260	8632-023-044	2
03	260	8636-015-025	2
03	260	8644-018-021	2
03	260	8644-020-046	2
03	000	8666-006-024	2

2010
LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER/
WEIGHTS AND MEASURES DEPARTMENT
WEED ABATEMENT
DECLARATION LIST

DATE: 05/11/10

ZONE	CITY CODE	PARCEL NUMBER	KEY
03	000	8666-006-033	2
03	000	8678-018-902	2
03	530	8708-014-024	2
03	760	8709-010-029	2
03	760	8709-010-030	2
03	760	8709-049-036	2
03	760	8722-014-017	2
03	760	8735-064-013	2
03	760	8735-064-014	2
03	760	8735-064-021	2
03	760	8735-064-022	2
03	760	8735-065-002	2
03	760	8735-065-028	2
03	760	8735-065-029	2
03	760	8735-068-022	2
03	760	8735-068-023	2
03	760	8735-068-024	2